

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3302

INFORMATION



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2017 MAR 30 PM 3:36

SENSITIVE

March 30, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *WHP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *B/H*
Reports Analysis Division *for KDR*
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 Year-End Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 Year-End Report in accordance with 52 U.S.C. § 30104(a). The Year-End Report was due on January 31, 2017.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report : no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2016 YEAR-END Not Election Sensitive 01/31/2017 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3286	C00599944	ADRIAN GARCIA FOR CONGRESS	ADRIAN GARCIA	MONICA GARCIA	\$778,965	0		Not Filed	\$155,793 (est)	\$7,641
3287	C00623256	AMERICA COMES FIRST PAC		DAVID W. SCHAMENS	\$463,211	0		Not Filed	\$154,403 (est)	\$7,641
3288	C00597682	ANGEL ROSA COMISIONADO RESIDENTE	ANGEL ROSA	ELISAMUEL RIVERA	\$418,345	0		Not Filed	\$83,669 (est)	\$4,862
3289	C00556944	BRUCE DAVIS FOR US CONGRESS	BRUCE EDWARD DAVIS SR.	GLENDIA CLARK	\$166,677	0		Not Filed	\$16,667 (est)	\$654
3290	C00496927	CITIZENS SUPER PAC FOR AMERICA (CSPAC)		SIDDIQ MUMIN	\$232,710	1		Not Filed	\$46,542 (est)	\$1,470
3291	C00554253	CLAITOR FOR CONGRESS	DANIEL A. CLAITOR	CHELSEA BONNECAZE	\$120,518	6		Not Filed	\$120,518 (est)	\$15,630
3292	C00551465	COMMITTEE TO ELECT JD WINTEREGG	J.D. WINTEREGG	JOSEPH WINTEREGG	\$179,199	1		Not Filed	\$25,599 (est)	\$1,470
3293	C00614362	DAN COX FOR CONGRESS	DAN COX	DANIEL RAZVI	\$145,404	0	2/14/2017	14	\$2,091	\$117
3294	C00606970	EUGENE FOR CONGRESS	EUGENE YU	ERIC YU	\$110,841	0		Not Filed	\$36,946 (est)	\$1,176
3295	C00590943	FIORE FOR CONGRESS	MICHELE FIORE	ANDREA SCHULEIN	\$880,713	0		Not Filed	\$176,142 (est)	\$7,641
3296	C00404350	FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION		SHARLYN WOODY	\$151,145	0		Not Filed	\$21,592 (est)	\$654
3297	C00603654	FRIENDS OF MATT DETCH	MATTHEW PAUL DETCH	MICHAEL BEALE	\$110,005	0		Not Filed	\$36,668 (est)	\$1,176

3299	C00385740	FROZEN FOOD POLITICAL ACTION COMMITTEE		ALISON REICH BODOR	\$149,826	0		Not Filed	\$29,965 (est)	\$1,176
3300	C00576223	GALLAGHER FOR NEW YORK	MICHAEL GALLAGHER	MICHAEL GALLAGHER	\$182,614	0		Not Filed	\$26,087 (est)	\$1,176
3301	C00524363	GREAT LAKES SUPER POLITICAL ACTION COMMITTEE		DWIGHT WASHINGTON	\$157,500	0		Not Filed	\$31,500 (est)	\$1,176
3302	C00622555	JOHN CARROLL FOR US SENATE 2016	JOHN STANLEY CARROLL	WINONA KALAKAU-HATAYAMA	\$114,174	0		Not Filed	\$38,058 (est)	\$1,176
3303	C00607929	KHARY FOR CONGRESS	KHARY PENEBAKER	SUSAN HOTZ	\$159,865	0		Not Filed	\$31,973 (est)	\$1,176
3305	C00565598	MAXWELL FOR CONGRESS	CHIP MAXWELL	CHIP MAXWELL	\$225,686	0		Not Filed	\$32,240 (est)	\$1,176
3306	C00570564	PAMELA KEITH FOR SENATE 2016	PAMELA MICHELE KEITH	PAMELA KEITH	\$513,212	0		Not Filed	\$64,151 (est)	\$3,751
3307	C00612861	PELLERIN FOR US SENATE LLC	JOSHUA A. PELLERIN	JENNIFER MAY	\$348,588	0		Not Filed	\$69,717 (est)	\$3,751
3308	C00427203	PENINSULA DEMOCRATIC COALITION		ZACHERY ROSS	\$468,019	0	2/8/2017	8	\$5,441	\$113

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3309	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		MICHAEL B. HACKENDORN	\$293,983	4	2/13/2017	13	\$4,387	\$222
3310	C00620427	PRIDE FUND TO END GUN VIOLENCE PAC		JORDAN CROWDER	\$121,882	0	3/4/2017	Not Filed	\$13,225 (est)	\$654
3311	C00473538	RICH ASHOOH COMMITTEE	RICHARD E. ASHOOH	RICHARD J. MALONEY	\$637,088	0		Not Filed	\$79,636 (est)	\$4,862
3312	C00607762	SOULES FOR US CONGRESS	MERRIE LEE SOULES	MARYANN HENDRICKSON	\$799,501	0		Not Filed	\$133,250 (est)	\$6,252
3313	C00591875	SUE GOOGE FOR CONGRESS	SUE GOOGE	TRACY PAINTER PERINA	\$194,648	0		Not Filed	\$27,806 (est)	\$1,176
3314	C00362632	SWING STATES FOR A CONSERVATIVE WHITE HOUSE PAC INC		OFFICE OF TREASURER	\$134,449	1		Not Filed	\$44,816 (est)	\$1,470
3315	C00445163	TADDEO FOR CONGRESS	ANNETTE TADDEO	RALPH PATINO	\$3,486,757	0	2/17/2017	17	\$346,633	\$6,793
3316	C00581314	TAYLOR GRIFFIN FOR CONGRESS	WILLIAM TAYLOR GRIFFIN	TAYLOR GRIFFIN	\$717,525	0		Not Filed	\$119,587 (est)	\$6,252
3317	C00613216	THE CANDIDATE BILLY DAVIS INC.	BILLY DAVIS	BILLY DAVIS	\$146,000	1		Not Filed	\$73,000 (est)	\$4,688
3318	C00612846	THE DEMOCRATIC COALITION		FRANCESCA N. LUCIA	\$247,741	0		Not Filed	\$82,580 (est)	\$4,862

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2016)
Year-End Report for the Administrative)
Fine Program:)
ADRIAN GARCIA FOR CONGRESS, and) AF# 3286
GARCIA, MONICA as treasurer;)
AMERICA COMES FIRST PAC, and) AF# 3287
SCHAMENS, DAVID W MR. as treasurer;)
ANGEL ROSA COMISIONADO) AF# 3288
RESIDENTE, and RIVERA, ELISAMUEL)
as treasurer;)
BRUCE DAVIS FOR US CONGRESS, and) AF# 3289
CLARK, GLENDA as treasurer;)
CITIZENS SUPER PAC FOR AMERICA) AF# 3290
(CSPAC), and SIDDIQ MUMIN as)
treasurer;)
CLAITOR FOR CONGRESS, and) AF# 3291
CHELSEA BONNECAZE as treasurer;)
COMMITTEE TO ELECT JD) AF# 3292
WINTEREGG, and WINTEREGG,)
JOSEPH as treasurer;)
DAN COX FOR CONGRESS, and RAZVI,) AF# 3293
DANIEL as treasurer;)
EUGENE FOR CONGRESS, and YU,) AF# 3294
ERIC MR. as treasurer;)
FIORE FOR CONGRESS, and) AF# 3295
SCHULEIN, ANDREA as treasurer;)
FRESNO COUNTY DEMOCRATIC) AF# 3296
WOMEN'S CLUB/DEMOCRATS IN)
ACTION, and WOODY, SHARLYN MS as)
treasurer;)
FRIENDS OF MATT DETCH, and) AF# 3297
BEALE, MICHAEL as treasurer;)

Federal Election Commission
Certification for Administrative Fines
April 03, 2017

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FROZEN FOOD POLITICAL ACTION COMMITTEE, and REICH BODOR, ALISON as treasurer; AF# 3299
GALLAGHER FOR NEW YORK, and GALLAGHER, MICHAEL as treasurer;) AF# 3300
GREAT LAKES SUPER POLITICAL ACTION COMMITTEE, and DWIGHT WASHINGTON as treasurer;) AF# 3301
JOHN CARROLL FOR US SENATE 2016, and WINONA KALAKAU-HATAYAMA as treasurer;) AF# 3302
KHARY FOR CONGRESS, and HOTZ, SUSAN as treasurer;) AF# 3303

MAXWELL FOR CONGRESS, and CHIP MAXWELL as treasurer;) AF# 3305
PAMELA KEITH FOR SENATE 2016, and PAMELA KEITH as treasurer;) AF# 3306
PELLERIN FOR US SENATE LLC, and JENNIFER MAY as treasurer;) AF# 3307
PENINSULA DEMOCRATIC COALITION, and ZACHERY ROSS as treasurer;) AF# 3308
PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and HACKENDORN, MICHAEL B as treasurer;) AF# 3309
PRIDE FUND TO END GUN VIOLENCE PAC, and CROWDER, JORDAN as treasurer;) AF# 3310
RICH ASHOOH COMMITTEE, and MALONEY, RICHARD J. as treasurer;) AF# 3311
SOULES FOR US CONGRESS, and HENDRICKSON, MARYANN MS as treasurer;) AF# 3312
SUE GOOGE FOR CONGRESS, and TRACY PAINTER PERINA as treasurer;) AF# 3313
TADDEO FOR CONGRESS, and PATINO, RALPH as treasurer;) AF# 3315
TAYLOR GRIFFIN FOR CONGRESS, and GRIFFIN, TAYLOR as treasurer;) AF# 3316
THE CANDIDATE BILLY DAVIS INC., and DAVIS, BILLY as treasurer;) AF# 3317
THE DEMOCRATIC COALITION, and LUCIA, FRANCESCA N as treasurer;) AF# 3318

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,
do hereby certify that on April 03, 2017 the Commission took the following actions
on the Reason To Believe Recommendation - 2016 Year-End Report for the
Administrative Fine Program as recommended in the Reports Analysis Division's
Memorandum dated March 30, 2017, on the following committees:

AF#3286 Decided by a vote of 4-0 to: (1) find reason to believe that ADRIAN GARCIA FOR CONGRESS, and GARCIA, MONICA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3287 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICA COMES FIRST PAC, and SCHAMENS, DAVID W MR. in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3288 Decided by a vote of 4-0 to: (1) find reason to believe that ANGEL ROSA COMISIONADO RESIDENTE, and RIVERA, ELISAMUEL in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3289 Decided by a vote of 4-0 to: (1) find reason to believe that BRUCE DAVIS FOR US CONGRESS, and CLARK, GLENDA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3290 Decided by a vote of 4-0 to: (1) find reason to believe that CITIZENS SUPER PAC FOR AMERICA (CSPAC), and SIDDIQ MUMIN in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3291 Decided by a vote of 4-0 to: (1) find reason to believe that CLAITOR FOR CONGRESS, and CHELSEA BONNECAZE in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3292 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT JD WINTEREGG, and WINTEREGG, JOSEPH in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3293 Decided by a vote of 4-0 to: (1) find reason to believe that DAN COX FOR CONGRESS, and RAZVI, DANIEL in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3294 Decided by a vote of 4-0 to: (1) find reason to believe that EUGENE FOR CONGRESS, and YU, ERIC MR. in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3295 Decided by a vote of 4-0 to: (1) find reason to believe that FIORE FOR CONGRESS, and SCHULEIN, ANDREA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3296 Decided by a vote of 4-0 to: (1) find reason to believe that FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION, and WOODY, SHARLYN MS in her official capacity as treasurer violated 52 U.S.C.

30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3297 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF MATT DETCH, and BEALE, MICHAEL in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3299 Decided by a vote of 4-0 to: (1) find reason to believe that FROZEN FOOD POLITICAL ACTION COMMITTEE, and REICH BODOR, ALISON in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3300 Decided by a vote of 4-0 to: (1) find reason to believe that GALLAGHER FOR NEW YORK, and GALLAGHER, MICHAEL in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3301 Decided by a vote of 4-0 to: (1) find reason to believe that GREAT LAKES SUPER POLITICAL ACTION COMMITTEE, and DWIGHT WASHINGTON in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3302 Decided by a vote of 4-0 to: (1) find reason to believe that JOHN CARROLL FOR US SENATE 2016, and WINONA KALAKAU-HATAYAMA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

(2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3303 Decided by a vote of 4-0 to: (1) find reason to believe that KHARY FOR CONGRESS, and HOTZ, SUSAN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3305 Decided by a vote of 4-0 to: (1) find reason to believe that MAXWELL FOR CONGRESS, and CHIP MAXWELL in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3306 Decided by a vote of 4-0 to: (1) find reason to believe that PAMELA KEITH FOR SENATE 2016, and PAMELA KEITH in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3307 Decided by a vote of 4-0 to: (1) find reason to believe that PELLERIN FOR US SENATE LLC, and JENNIFER MAY in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3308 Decided by a vote of 4-0 to: (1) find reason to believe that PENINSULA DEMOCRATIC COALITION, and ZACHERY ROSS in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3309 Decided by a vote of 4-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and HACKENDORN, MICHAEL B in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3310 Decided by a vote of 4-0 to: (1) find reason to believe that PRIDE FUND TO END GUN VIOLENCE PAC, and CROWDER, JORDAN in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3311 Decided by a vote of 4-0 to: (1) find reason to believe that RICH ASHOOH COMMITTEE, and MALONEY, RICHARD J. in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3312 Decided by a vote of 4-0 to: (1) find reason to believe that SOULES FOR US CONGRESS, and HENDRICKSON, MARYANN MS in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3313 Decided by a vote of 4-0 to: (1) find reason to believe that SUE GOOGE FOR CONGRESS, and TRACY PAINTER PERINA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3315 Decided by a vote of 4-0 to: (1) find reason to believe that TADDEO FOR CONGRESS, and PATINO, RALPH in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3316 Decided by a vote of 4-0 to: (1) find reason to believe that TAYLOR GRIFFIN FOR CONGRESS, and GRIFFIN, TAYLOR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil

money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3317 Decided by a vote of 4-0 to: (1) find reason to believe that THE CANDIDATE BILLY DAVIS INC., and DAVIS, BILLY in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

AF#3318 Decided by a vote of 4-0 to: (1) find reason to believe that THE DEMOCRATIC COALITION, and LUCIA, FRANCESCA N in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

Attest:

April 3, 2017
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 2017

Winona Kalakau-Hatayama, in official capacity as Treasurer
John Carroll for U.S. Senate 2016
810 Richards St., Suite 810
Honolulu, HI 96813

C00622555
AF#: 3302

Dear Ms. Kalakau-Hatayama:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year-End Report of Receipts and Disbursements every calendar year. This report, covering the period November 29, 2016 through December 31, 2016, shall be filed no later than January 31, 2017. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On April 3, 2017, the FEC found that there is reason to believe ("RTB") that John Carroll for U.S. Senate 2016 and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before January 31, 2017. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,176. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$1,176 is due within forty (40) days of the finding, or by May 13, 2017, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$38,058
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 13, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that John Carroll for U.S. Senate 2016 and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,176 for the 2016 Year-End Report.

You may remit payment by ACH withdrawal from your bank account; or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: John Carroll for U.S. Senate 2016

FEC ID#: C00622555

AF#: 3302

PAYMENT DUE DATE: May 13, 2017

PAYMENT AMOUNT DUE: \$1,176



JOHN S. CARROLL FOR U.S. SENATE
810 Richards St., #810, Honolulu, HI 96813
Phone: (808) 526-9111

May 4, 2017

Via Priority Mail

Federal Election Commission
Office of Administrative Review
999 E. Street NW
Washington, D.C. 20463

Re: AF#3302
C00622555

To Whom This May Concern:

I am writing in response to the April 4, 2017 letter I received advising of the FEC's imposition of a civil penalty in the amount of \$1,176.00 against me due to my failure to file a Year-End Report of Receipts and Disbursements. Please accept this letter as my request to challenge the imposition of this civil penalty.

Enclosed please find a copy of the Year-End Report for the period covering November 29, 2016 through December 31, 2016 which was mailed to the FEC today. I do apologize for not filing the Year-End Report by the January 31, 2017 deadline. It was my oversight, as well as the fact that following the election, the candidate's finances were depleted, and his accounts were overdrawn. Quite simply, in order to survive, I was forced to leave the office to find work elsewhere. I understand that this is not a justifiable reason for missing the deadline, however, it is the truth.

I ask for your consideration with respect to recalculating the civil penalty. Thank you.

Sincerely,

Nona Kalakau-Hatayama
Campaign Treasurer



JOHN S. CARROLL FOR U.S. SENATE
810 Richards St., #810, Honolulu, HI 96813
Phone: (808) 526-9111

LETTER OF TRANSMITTAL

DATE: May 4, 2017

TO: Via Priority Mail
The Secretary of the Senate
Office of Public Records
P.O. Box 77578
Washington, D.C. 20013-7578

RE: January 31 Year-End Report

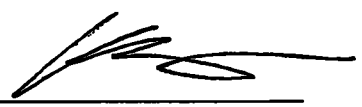
Enclosed is the following:

➤ Original January 31 Year-End Report

Is/ Are Transmitted herewith:

<input checked="" type="checkbox"/> For Your Information	<input type="checkbox"/> Per your request
<input type="checkbox"/> For Signature & Return	<input type="checkbox"/> For Necessary Action
<input type="checkbox"/> For Payment	<input type="checkbox"/>

REMARKS:

By: 
Nona Kalakau-Hatayama
Campaign Treasurer

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

JOHN CARROLL FOR US SENATE 2016

ADDRESS (number and street)

810 RICHARDS ST

#810

Check if different
than previously
reported. (ACC)

HONOLULU

HI

96813-

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C 00622555

3. IS THIS
REPORT



NEW
(N)

OR



AMENDED
(A)

STATE ▼ DISTRICT

HI

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

M M

D D

Y Y Y Y

in the
State of

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

M M

D D

Y Y Y Y

in the
State of

5. Covering Period

M M

D D

Y Y Y Y

through

M M

D D

Y Y Y Y

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

WINONA KALAKAU-HATAJANA

Signature of Treasurer



Date

M M

D D

Y Y Y Y

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office
Use
Only

FEC FORM 3
(Revised 05/2016)

SUMMARY PAGE
of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

Page 2

Write or Type Committee Name

Report Covering the Period:

From:

MM / DD / YYYY
11 / 29 / 2016

To:

MM / DD / YYYY
12 / 31 / 2016

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	0	32,326.04
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))	0	32,326.04
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	0	53,196.74
(b) Total Offsets to Operating Expenditures (from Line 14)	0	0
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	0	53,196.74
8. Cash on Hand at Close of Reporting Period (from Line 27)	- 55,160.7	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3 (Revised 05/2016)

Page 3

Write or Type Committee Name

Report Covering the Period:

From:

MM / DD / YYYY
11 / 29 / 2016

To:

MM / DD / YYYY
12 / 31 / 2016

I. RECEIPTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

(i) Itemized (use Schedule A)

(ii) Unitemized

(iii) TOTAL of contributions from individuals ▶

(b) Political Party Committees.....

(c) Other Political Committees (such as PACs).....

(d) The Candidate

(e) TOTAL CONTRIBUTIONS

(other than loans)

(add Lines 11(a)(iii), (b), (c), and (d))..

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

13. LOANS:

(a) Made or Guaranteed by the Candidate.....

(b) All Other Loans.....

(c) TOTAL LOANS

(add Lines 13(a) and (b)).....

14. OFFSETS TO OPERATING EXPENDITURES

(Refunds, Rebates, etc.)

15. OTHER RECEIPTS

(Dividends, Interest, etc.)

16. TOTAL RECEIPTS (add Lines

11(e), 12, 13(c), 14, and 15)

(Carry Total to Line 24, page 4)..... ▶

0

0

32326.04

0

0

0

0

0

0

0

0

0

0

0

0

0

0

0

0

115.00

32326.04

0

0

0

32326.04

0

0

11002.00

0

11002.00

0

0

0

0

43328.04

0

DETAILED SUMMARY PAGE of Disbursements

II. DISBURSEMENTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....

0

53,156.74

18. TRANSFERS TO OTHER
AUTHORIZED COMMITTEES

0

0

19. LOAN REPAYMENTS:

(a) Of Loans Made or Guaranteed
by the Candidate.....

0

0

(b) Of All Other Loans

0

0

(c) TOTAL LOAN REPAYMENTS
(add Lines 19(a) and (b)).....

0

0

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other
Than Political Committees

0

0

(b) Political Party Committees.....

0

0

(c) Other Political Committees
(such as PACs).....

0

0

(d) TOTAL CONTRIBUTION REFUNDS
(add Lines 20(a), (b), and (c)).....

0

0

21. OTHER DISBURSEMENTS

0

0

22. TOTAL DISBURSEMENTS
(add Lines 17, 18, 19(c), 20(d), and 21) ►

0

0

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....

-5516.07

24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....

0

25. SUBTOTAL (add Line 23 and Line 24).....

-5516.07

26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....

0

27. CASH ON HAND AT CLOSE OF REPORTING PERIOD
(subtract Line 26 from Line 25).....

-5516.07

SCHEDULE C (FEC Form 3)
LOANS

Use separate schedule(s)
for each category of the
Detailed Summary Page

PAGE 1 OF 2

FOR LINE NUMBER:
(check only one)

☒ 13a
☐ 13b

NAME OF COMMITTEE (In Full)

JOHN CARROLL FOR U.S. SENATE 2016

LOAN SOURCE Full Name (Last, First, Middle Initial)

CARROLL, JOHN S.

☐ Memo Item

Election:

☐ Primary

☒ General

☐ Other (specify) ▼

Mailing Address

810 RICHARDS ST., #810

City

HONOLULU

State

HI

ZIP Code

96813

☒ Personal Funds of the Candidate

Original Amount of Loan

5,000.00

Cumulative Payment To Date

Balance Outstanding at Close of This Period

5,000.00

TERMS

Date Incurred

Date Due

Interest Rate
(If none, enter 0)

Secured:

0.8

1.5

2.01.6

NONE

NONE

% (apr)

☐ Yes

☒ No

1. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

2. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

3. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

4. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

SUBTOTALS This Period This Page (optional)

5,000.00

TOTALS This Period (last page in this line only)

5,000.00

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

SCHEDULE C (FEC Form 3)
LOANS

Use separate schedule(s)
for each category of the
Detailed Summary Page

PAGE 2 OF 2

FOR LINE NUMBER:
(check only one)

☒ 13a
☐ 13b

NAME OF COMMITTEE (In Full)

JOHN CARROLL FOR U.S. SENATE 2016

LOAN SOURCE Full Name (Last, First, Middle Initial)

CARROLL, JOHN S.

☐ Memo Item

Election:

☐ Primary

☒ General

☐ Other (specify) ▼

Mailing Address

810 RICHARDS ST. #810

City

HON.

State

HI

ZIP Code

96813

☐ Personal Funds of the Candidate

Original Amount of Loan

6002.00

Cumulative Payment To Date

0

Balance Outstanding at Close of This Period

6002.00

TERMS

Date Incurred

Date Due

Interest Rate
(If none, enter 0)

Secured:

MM ' DD ' YY
09 ' 16 ' 2016

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

MM ' DD ' YY

% (apr)

☐ Yes

☒ No

List All Endorsers or Guarantors (If any, list Loan Source)

1. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

2. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

3. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

4. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

SUBTOTALS This Period This Page (optional).....>

6002.00

TOTALS This Period (last page in this line only).....>

6002.00

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

SCHEDULE D (FEC Form 3)

DEBTS AND OBLIGATIONS

Excluding Loans

(Use separate schedule(s) for each numbered line)	PAGE 1 OF 1
	FOR LINE NUMBER: (check only one) <input checked="" type="checkbox"/> 9 <input type="checkbox"/> 10

NAME OF COMMITTEE (In Full)

JOHN CARROLL FOR U.S. SENATE 2016

A. Full Name (Last, First, Middle Initial) of Debtor or Creditor

BRAIN EYE CREATIVE

Nature of Debt (Purpose):

Mailing Address

4348 WAIANAE AVE. #252

City

Hon.

State

HI

Zip Code

96812

Outstanding Balance Beginning This Period

7,185.86

Amount Incurred This Period

0

Payment This Period

0

Outstanding Balance at Close of This Period

7,185.86

B. Full Name (Last, First, Middle Initial) of Debtor or Creditor

Nature of Debt (Purpose):

Mailing Address

City

State

Zip Code

Outstanding Balance Beginning This Period

Amount Incurred This Period

Payment This Period

Outstanding Balance at Close of This Period

C. Full Name (Last, First, Middle Initial) of Debtor or Creditor

Nature of Debt (Purpose):

Mailing Address

City

State

Zip Code

Outstanding Balance Beginning This Period

Amount Incurred This Period

Payment This Period

Outstanding Balance at Close of This Period

1) SUBTOTALS This Period This Page (optional)

2) TOTALS This Period (last page this line number only)

3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)

4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)

7,185.86

7,185.86

1,100.00

18,187.86



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 26, 2017

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3302 – John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer (C00622555)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

Reason-to-Believe Background

The 2016 Year-End Report was due on January 31, 2017. The respondents filed the report on May 4, 2017, 93 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On April 3, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Year-End Report and made a preliminary determination that the civil money penalty was \$1,176 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on April 5, 2017 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(a)(1)(i). All reports required to be filed by the principal campaign committee of a candidate for the office of U.S. Senator shall be filed with the Secretary of the Senate. 52 U.S.C. § 30102(g) and 11 C.F.R. § 105.2. If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than the filing date to be timely filed. 52 U.S.C. § 30104(a)(5), and 11 C.F.R. §§ 100.19 and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 8, 2017, the Commission received the written response ("challenge") from the Treasurer explaining she was forced to find other employment after the Candidate lost the election. The Treasurer states that the 2016 Year-End Report was recently filed and requests that the civil money penalty be recalculated.

Analysis

At the time of the RTB finding, the Commission used an estimated level of activity (\$38,058) to calculate the penalty because the 2016 Year-End Report had not yet been filed. 11 C.F.R § 111.43(d)(2)(i). The Committee filed the report on May 4, 2017, 93 days late. The report discloses \$0 in total receipts and \$0 in total disbursements. Therefore, the actual level of activity of the 2016 Year-End Report is \$0. Using the schedule of penalties at 11 C.F.R § 111.43(a), no civil money penalty is assessed for a level of activity less than \$1. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3302 involving John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3302 that John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$1,176); and
3. Send the appropriate letter.

Attachments

Attachment 1

Attachment 2 – Declaration from RAD

Attachment 3 – Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to JOHN CARROLL FOR US SENATE 2016:
 - A) Non-Filer Letter, dated February 16, 2017, referencing the 2016 Year-End Report (sent via electronic mail to: citizens4carroll@gmail.com);
 - B) Reason-to-Believe Letter, dated April 5, 2017, referencing the 2016 Year-End Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that JOHN CARROLL FOR US SENATE 2016 filed the 2016 Year-End Report with the Commission on May 4, 2017.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 23rd day of May, 2017.

Ben Holly for KDR
Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

February 16, 2017

WINONA KALAKAU-HATAYAMA, TREASURER
JOHN CARROLL FOR US SENATE 2016
810 RICHARDS ST SUITE 810
HONOLULU, HI 96813

IDENTIFICATION NUMBER: C00622555

REFERENCE: YEAR-END REPORT (11/29/2016 - 12/31/2016)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

JOHN CARROLL FOR US SENATE 2016

Page 2 of 2

If you have any questions regarding this matter, please contact Christopher Ritchie at our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

Sincerely,

Debbie Chacona

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A principal campaign committee shall file a report for the period ending December 31 no later than January 31 of the following calendar year. All reports required to be filed by the principal campaign committee of a candidate for the office of U.S. Senator shall be filed with the Secretary of the Senate. Reports sent by first class mail must be received by the close of business on the filing date to be timely filed. If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than January 31, 2017 for the 2016 Year-End Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover page, Detailed Summary Pages, and envelope replacement page of the 2016 Year-End Report filed by John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer. The report includes the coverage period of November 29, 2016 through December 31, 2016 and was filed on May 4, 2017.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 26th day of May, 2017.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS For An Authorized Committee

SECRETARY OF THE TREASURY
MAY - 8 PM 3:08
Office Use Only

1. NAME OF COMMITTEE (In full)

TYPE OR PRINT ▼

Example: If typing, type over the lines.

12FE4M5

JOHN GARRETT FOR U.S. SENATE 2016

ADDRESS (number and street)

810 RICHARDS ST

#810

☐ Check if different than previously reported. (ACC)

WONOLULU

HI

96813

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C 00622555

3. IS THIS REPORT



NEW (N)

OR



AMENDED (A)

STATE ▼ DISTRICT

HI

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

In the State of

State

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

In the State of

State

5. Covering Period

11

29

2016

through

12

31

2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

WINONA KALAKAU-CHATHAM

Signature of Treasurer

[Signature]

Date

05

04

2017

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office
Use
Only

FEC FORM 3
(Revised 05/2016)

201705080200147711

SUMMARY PAGE
of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

Page 2

Write or Type Committee Name

Report Covering the Period: From:

MM ' DD ' YYYY
11 ' 29 ' 2016

To:

MM ' DD ' YYYY
12 ' 31 ' 2016

COLUMN A
This Period

COLUMN B
Election Cycle-to-Date

6. Net Contributions (other than loans)

(a) Total Contributions
(other than loans) (from Line 11(e))..

0

32326.04

(b) Total Contribution Refunds
(from Line 20(d))..

0

0

(c) Net Contributions (other than loans)
(subtract Line 6(b) from Line 6(a))...

0

32326.04

7. Net Operating Expenditures

(a) Total Operating Expenditures
(from Line 17)..

0

53196.74

(b) Total Offsets to Operating
Expenditures (from Line 14)...

0

0

(c) Net Operating Expenditures
(subtract Line 7(b) from Line 7(a))...

0

53196.74

8. Cash on Hand at Close of
Reporting Period (from Line 27)...

-5516.07

9. Debts and Obligations Owed TO
the Committee (Itemize all on
Schedule C and/or Schedule D)...

0

10. Debts and Obligations Owed BY
the Committee (Itemize all on
Schedule C and/or Schedule D)...

0

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

201705080200147712

Page 3

From:

To:

COLUMN B
Election Cycle-to-Date

201705080200147713

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 05/2016)

Page 4

II. DISBURSEMENTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

17. OPERATING EXPENDITURES...

0

53,156.74

18. TRANSFERS TO OTHER
AUTHORIZED COMMITTEES ..

0

0

19. LOAN REPAYMENTS:

(a) Of Loans Made or Guaranteed
by the Candidate...

0

0

(b) Of All Other Loans

0

0

(c) TOTAL LOAN REPAYMENTS
(add Lines 19(a) and (b))...

0

0

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other
Than Political Committees ..

0

0

(b) Political Party Committees...

0

0

(c) Other Political Committees
(such as PACs) ..

0

0

(d) TOTAL CONTRIBUTION REFUNDS
(add Lines 20(a), (b), and (c))...

0

0

21. OTHER DISBURSEMENTS ..

0

0

22. TOTAL DISBURSEMENTS

(add Lines 17, 18, 19(c), 20(d), and 21) ►

0

0

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD...

-5516.07

24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3)...

0

25. SUBTOTAL (add Line 23 and Line 24)...

-5516.07

26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)...

0

27. CASH ON HAND AT CLOSE OF REPORTING PERIOD
(subtract Line 26 from Line 25)...

-5516.07

201705080200147714

JULIE E. ADAMS
SECRETARY

DANA K. MACCALLUM
SUPERINTENDENT

HART SENATE OFFICE BUILDING
SUITE 232

WASHINGTON, DC 20510-7115

PHONE (202) 224-0322

United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:

HAND DELIVERED _____
Date of Receipt

USPS FIRST CLASS MAIL _____
Date of Receipt : Postmark

USPS REGISTERED/CERTIFIED _____
Postmark

USPS PRIORITY MAIL **5/4/17**
Postmark

DELIVERY CONFIRMATION OR SIGNATURE CONFIRMATION LABEL ☐

USPS EXPRESS MAIL _____
Postmark

OVERNIGHT DELIVERY SERVICE:

SHIPPING DATE NEXT BUSINESS DAY DELIVERY

FEDERAL EXPRESS _____ ☐

UPS _____ ☐

DHL _____ ☐

AIRBORNE EXPRESS _____ ☐

RECEIVED FROM FEDERAL ELECTION COMMISSION _____
Date of Receipt

POSTMARK ILLEGIBLE ☐ NO POSTMARK ☐

FAX _____
Date of Receipt

OTHER _____
Date of Receipt or Postmark

PREPARER **HB** DATE PREPARED **5/18/17**

4/04/16

201705080200147719

201705080200147719



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 26, 2017

Winona Kalakau-Hatayama
John Carroll for US Senate 2016
810 Richards St., Suite 81
Honolulu, HI 96813

C00622555
AF#: 3302

Dear Ms. Kalakau-Hatayama :

On April 3, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that John Carroll for US Senate 2016 and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Year-End Report. The Commission also made a preliminary determination that the civil money penalty was \$1,176 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess no civil money penalty. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review

RECEIVED
FEDERAL ELECTION COMMISSION

2017 AUG -1 PM 2:38



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 1, 2017

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3302 – John Carroll for US Senate
2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer
(C00622555)

On April 3, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Year-End Report and made a preliminary determination that the civil money penalty was \$1,176 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 8, 2017, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated May 26, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). To date, a response has not been received.

WELCOME

1. **Adopt the Reviewing Officer recommendation for AF# 3302 involving John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, in making the final determination;**
2. **Make a final determination in AF# 3302 that John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$1,176); and**
3. **Send the appropriate letter.**

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3302
Final Determination Recommendation:)
John Carroll for US Senate 2016 and)
Winona Kalakau-Hatayama, in her)
official capacity as Treasurer)
(C00622555))

CERTIFICATION

I, Laura E. Sinram, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on August 10, 2017, the Commission decided by a vote of 5-0 to take the following actions in AF 3302:

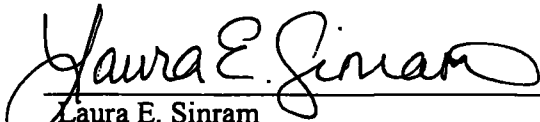
1. Adopt the Reviewing Officer recommendation for AF# 3302 involving John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3302 that John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$1,176).
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

8/10/17

Date



Laura E. Sinram

Acting Deputy Secretary of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 15, 2017

Winona Kalakau-Hatayama
John Carroll for US Senate 2016
810 Richards St., Suite 81
Honolulu, HI 96813

C00622555
AF#: 3302

Dear Ms. Kalakau-Hatayama:

On April 3, 2017, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that John Carroll for US Senate 2016 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2016 Year-End Report. By letter dated April 5, 2017, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$1,176 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 8, 2017, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that John Carroll for US Senate 2016 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the actual level of activity disclosed on the 2016 Year-End Report filed May 4, 2017 (\$0), assess no civil money penalty in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on May 26, 2017.

On August 10, 2017, the Commission adopted the Reviewing Officer's recommendation and made a final determination that John Carroll for US Senate 2016 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the level of activity disclosed on the 2016 Year-End Report filed May 4, 2017 (\$0), assessed no civil money penalty (reduced from the RTB civil money penalty of \$1,176). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the Final Determination Recommendation is attached.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Storer Swanner

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2017 AUG -1 PM 2:38

August 1, 2017

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3302 – John Carroll for US Senate
2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer
(C00622555)

On April 3, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Year-End Report and made a preliminary determination that the civil money penalty was \$1,176 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 8, 2017, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated May 26, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). To date, a response has not been received.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3302 involving John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3302 that John Carroll for US Senate 2016 and Winona Kalakau-Hatayama, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$1,176); and
3. Send the appropriate letter.

11-00000-11000000

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3302

INFORMATION